

UNOFFICIAL VERSION

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MONDAY, FEBRUARY 12, 2018

FIFTY-SECOND LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 4:00 p.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Chaplain Robert Michaels of the Tennessee Fraternal Order of Police and the Memphis FBI of Brentwood, Tennessee, a guest of Senator Gardenhire.

PLEDGE OF ALLEGIANCE

Senator Gardenhire led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Gardenhire led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 31

Senators present were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

COMMUNICATION

February 9, 2018

Lt. Governor Randy McNally
425 5th Avenue North
Suite 700 Cordell Hull Bldg.
Nashville, TN 37243

Dear Speaker McNally:

Please be advised that due to a dental procedure, I will not be present for Session on Monday, February 12, 2018.

Sincerely,

/s/ Sara Kyle

APPROVED: Lieutenant Governor
Randy McNally

STANDING COMMITTEE REPORTS

ENERGY, AGRICULTURE AND NATURAL RESOURCES

MR. SPEAKER: Your Committee on Energy, Agriculture and Natural Resources begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 696 with amendment and 1885; and Senate Joint Resolution No. 482; also, recommend that Senate Bill No. 1701 be referred to Committee on Finance, Ways and Means.

SOUTHERLAND, Chairperson
February 8, 2018

The Speaker announced that he had referred Senate Bills Nos. 696 with amendment and 1885; and Senate Joint Resolution No. 482 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 1701 to the Committee on Finance, Ways and Means.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 2724** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILL

The Speaker announced the following bill was filed for introduction and passed first consideration:

Senate Bill No. 2724 by Senator Roberts.

Dickson County -- Subject to local approval, abolishes the Dickson County Highway Commission. Amends Chapter 53 of the Private Acts of 1985; as amended.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 594 through 598**; and **Senate Resolutions Nos. 163 through 167** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 594 by Senator Niceley and Mr. Speaker McNally.

General Assembly, Confirmation of Appointment -- Frank Cagle, State Textbook and Instructional Materials Quality Commission.

Senate Joint Resolution No. 595 by Senator Jackson.

General Assembly, Confirmation of Appointment -- Neel Durbin, State Textbook and Instructional Materials Quality Commission.

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Senate Joint Resolution No. 596 by Senator Harper.
Memorials, Recognition -- First Lieutenant William McBryar.

Senate Joint Resolution No. 597 by Senators Southerland and Norris.
Memorials, Recognition -- Tennessee Work Ethic Diploma program.

Senate Joint Resolution No. 598 by Senator Haile.
Memorials, Professional Achievement -- Ron Becker, 2018 Sumner County Principal of the Year.

Senate Resolution No. 163 by Senator Kelsey.
General Assembly, Review or Ratification of Rules -- Ratifies and approves the amendments and revisions to the Tennessee Rules of Civil Procedure, as promulgated and adopted by the Tennessee Supreme Court.

Senate Resolution No. 164 by Senator Kelsey.
General Assembly, Review or Ratification of Rules -- Approves and ratifies the amendments and revisions to the Tennessee Rules of Evidence, as promulgated and adopted by the Tennessee Supreme Court.

Senate Resolution No. 165 by Senator Kelsey.
General Assembly, Review or Ratification of Rules -- Ratifies and approves the amendments and revisions to the Tennessee Rules of Appellate Procedure, as promulgated and adopted by the Tennessee Supreme Court.

Senate Resolution No. 166 by Senators Kelsey and Ketron.
General Assembly, Review or Ratification of Rules -- Ratifies and approves the amendments and revisions to the Tennessee Rules of Criminal Procedure, as promulgated and adopted by the Tennessee Supreme Court.

Senate Resolution No. 167 by Senator Kelsey.
General Assembly, Review or Ratification of Rules -- Ratifies and approves the amendments and revisions to the Tennessee Rules of Juvenile Procedure, as promulgated and adopted by the Tennessee Supreme Court.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 748 through 758, 760 and 761**; and **Senate Joint Resolution No. 593** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 748 -- Memorials, Personal Achievement -- Jonathan Christopher Whaley, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 748 to the Committee on Calendar.

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House Joint Resolution No. 749 -- Memorials, Recognition -- City of Rockwood, 150th Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 749 to the Committee on Calendar.

House Joint Resolution No. 750 -- Memorials, Recognition -- Fred Jones, Jr.

The Speaker announced that he had referred House Joint Resolution No. 750 to the Committee on Calendar.

House Joint Resolution No. 751 -- Memorials, Personal Achievement -- Benjamin Robert Blaylock, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 751 to the Committee on Calendar.

House Joint Resolution No. 752 -- Memorials, Personal Achievement -- Luke Love, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 752 to the Committee on Calendar.

House Joint Resolution No. 753 -- Memorials, Personal Achievement -- Henry Parker, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 753 to the Committee on Calendar.

House Joint Resolution No. 754 -- Memorials, Sports -- Gibbs High School wrestling team, TSSAA Class A-AA dual State Champion.

The Speaker announced that he had referred House Joint Resolution No. 754 to the Committee on Calendar.

House Joint Resolution No. 755 -- Memorials, Personal Occasion -- Bethel Cantrell Williams, 100th Birthday.

The Speaker announced that he had referred House Joint Resolution No. 755 to the Committee on Calendar.

House Joint Resolution No. 756 -- Memorials, Sports -- Friendship Christian School girls' bowling team, TSSAA Division II State Champions.

The Speaker announced that he had referred House Joint Resolution No. 756 to the Committee on Calendar.

House Joint Resolution No. 757 -- Memorials, Recognition -- Marjorie Quin.

The Speaker announced that he had referred House Joint Resolution No. 757 to the Committee on Calendar.

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House Joint Resolution No. 758 -- Memorials, Recognition -- 2018 World's Biggest Fish Fry Princess Court.

The Speaker announced that he had referred House Joint Resolution No. 758 to the Committee on Calendar.

House Joint Resolution No. 760 -- Memorials, Recognition -- Manassas High School Alumni Association.

The Speaker announced that he had referred House Joint Resolution No. 760 to the Committee on Calendar.

House Joint Resolution No. 761 -- Memorials, Recognition -- Joseph Edward Gryder, 2018 Rhea County Republican of the Year.

The Speaker announced that he had referred House Joint Resolution No. 761 to the Committee on Calendar.

Senate Joint Resolution No. 593 -- General Assembly, Directed Studies -- Directs the Tennessee Advisory Commission on Intergovernmental Relations to study the overall effects on public education relative to having multiple school districts operating in the same county.

The Speaker announced that he had referred Senate Joint Resolution No. 593 to the Committee on Education.

CONSENT CALENDAR NO. 1

Senate Joint Resolution No. 541 -- Memorials, Recognition -- City of Germantown, TNCPE Excellence Award.

Senate Joint Resolution No. 566 -- Memorials, Sports -- Jacob Ward, 2017 Citizen Tribune All-Lakeway Area Offensive Player of the Year.

Senate Joint Resolution No. 567 -- Memorials, Recognition -- Morristown/Hamblen County, American Association of Retirement Communities Seal of Approval.

Senate Joint Resolution No. 568 -- Memorials, Recognition -- Cocke County High School, 100th Anniversary.

Senate Joint Resolution No. 569 -- Memorials, Death -- William Louis "Bill" Giannini.

Senate Joint Resolution No. 570 -- Memorials, Personal Occasion -- Former Representative Ed Haley, 80th Birthday.

Senate Joint Resolution No. 571 -- Memorials, Professional Achievement -- Erin Winstead, Union Heights Elementary School Teacher of the Year.

Senate Joint Resolution No. 572 -- Memorials, Professional Achievement -- Stacey Waddell, Whitesburg Elementary School Teacher of the Year.

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Senate Joint Resolution No. 573 -- Memorials, Professional Achievement -- Julia Bolton, Manley Elementary School Teacher of the Year.

Senate Joint Resolution No. 574 -- Memorials, Professional Achievement -- Laura Fleenor, East Ridge Middle School Teacher of the Year.

Senate Joint Resolution No. 575 -- Memorials, Professional Achievement -- Vicki Price, Meadowview Middle School Teacher of the Year.

Senate Joint Resolution No. 576 -- Memorials, Professional Achievement -- Trista Godbey, West View Middle School Teacher of the Year.

Senate Joint Resolution No. 577 -- Memorials, Professional Achievement -- Jacob Wilke, John Hay Elementary School Teacher of the Year.

Senate Joint Resolution No. 578 -- Memorials, Professional Achievement -- Leslie Brooks, Hillcrest Elementary School Teacher of the Year.

Senate Joint Resolution No. 579 -- Memorials, Professional Achievement -- Lisa Harrison, Fairview-Marguerite Elementary School Teacher of the Year.

Senate Joint Resolution No. 580 -- Memorials, Professional Achievement -- Jamie Berg, Alpha Elementary School Teacher of the Year.

Senate Joint Resolution No. 581 -- Memorials, Professional Achievement -- Tyson Jones, Lincoln Heights Middle School Teacher of the Year.

Senate Joint Resolution No. 582 -- Memorials, Professional Achievement -- Connie Wilson, Lincoln Heights Elementary School Teacher of the Year.

Senate Joint Resolution No. 583 -- Memorials, Professional Achievement -- William McKinney, Miller Boyd Alternative School Teacher of the Year.

Senate Joint Resolution No. 584 -- Memorials, Professional Achievement -- Amy Whaley, Morristown-Hamblen High School West Teacher of the Year.

Senate Joint Resolution No. 585 -- Memorials, Professional Achievement -- Michelle Newman, Witt Elementary School Teacher of the Year.

Senate Joint Resolution No. 586 -- Memorials, Recognition -- Grassy Fork Elementary School.

Senate Joint Resolution No. 587 -- Memorials, Professional Achievement -- Kimberly Brooks, Russellville Elementary School Teacher of the Year.

Senate Joint Resolution No. 588 -- Memorials, Professional Achievement -- Ashley Burnside, West Elementary School Teacher of the Year.

Senate Joint Resolution No. 589 -- Memorials, Public Service -- Shelby County Drug Court.

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Senate Joint Resolution No. 590 -- Memorials, Professional Achievement -- Christopher Yeary, Morristown Hamblen High School East Teacher of the Year.

Senate Joint Resolution No. 591 -- Memorials, Recognition -- Greeneville City Schools, Best School District in Tennessee.

Senate Resolution No. 162 -- Memorials, Death -- Lillian Pearl Roberson Buffaloe.

House Joint Resolution No. 731 -- Memorials, Recognition -- Second Lieutenant Albert Louis Young of the Tuskegee Airmen.

House Joint Resolution No. 733 -- Memorials, Death -- O.A. Richardson.

House Joint Resolution No. 735 -- Memorials, Retirement -- Ed Cromer.

House Joint Resolution No. 736 -- Memorials, Death -- E. Claude Gardner.

House Joint Resolution No. 737 -- Memorials, Death -- Dr. David Millhorn.

House Joint Resolution No. 745 -- Memorials, Recognition -- Eric Hicks.

House Joint Resolution No. 746 -- Memorials, Recognition -- Tennessee Mining Association, 10th Anniversary.

House Joint Resolution No. 747 -- Memorials, Recognition -- Matthew Russell.

Senator Roberts moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Senate Bill No. 1517 -- Sunset Laws -- As introduced, extends the board of funeral directors and embalmers for six years to June 30, 2024. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 5, Part 2.

Senate Bill No. 1523 -- Sunset Laws -- As introduced, extends the collection service board for six years to June 30, 2024. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 20.

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Senate Bill No. 1547 -- Sunset Laws -- As introduced, extends the private investigation and polygraph commission for six years to June 30, 2024. Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 26.

Senate Bill No. 1548 -- Sunset Laws -- As introduced, extends the real estate appraiser commission for six years to June 30, 2024. Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 39.

Senate Bill No. 1555 -- Sunset Laws -- As introduced, extends the Tennessee auctioneer commission for six years to June 30, 2024. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 19.

Senate Bill No. 1556 -- Sunset Laws -- As introduced, extends the Tennessee board of court reporting for six years to June 30, 2024. Amends TCA Title 4, Chapter 29 and Title 20, Chapter 9, Part 6.

Senate Bill No. 1734 -- Criminal Offenses -- As introduced, makes changes to definitions and descriptions of conduct for which new home contractors and home improvement services providers may bear civil and criminal responsibility. Amends TCA Title 39, Chapter 14.

Senate Bill No. 1765 -- Education -- As introduced, allows the energy efficient schools council to award grants or loans for energy efficient capital outlay projects to charter schools and the achievement school district in addition to LEAs. Amends TCA Title 49, Chapter 17 and Section 49-4-940.

Senate Bill No. 1782 -- Education, State Board of -- As introduced, changes the term of the chair of the state board of education from four years to two years. Amends TCA Section 49-1-301(b).

Senate Bill No. 1885 -- Pest Control -- As introduced, requires applicators to notify the department of agriculture prior to making aerial applications of pesticides via an online reporting system, instead of notifying county sheriff's offices. Amends TCA Title 43, Chapter 8.

Senate Joint Resolution No. 482 -- Naming and Designating -- "Tennessee Tree Day," February 24, 2018.

Senate Resolution No. 136 -- General Assembly, Confirmation of Appointment -- Lowell Russell, Tennessee Peace Officers Standards and Training (POST) Commission.

Senator Roberts moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all Senate Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

CALENDAR

Senate Joint Resolution No. 494 -- Constitutional Amendments -- Proposes additional language in Article II, Section 28 to prohibit the general assembly from levying or permitting any state or local tax upon income derived from stocks and bonds that are not taxed ad valorem.

Senator Kelsey moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution, for the first time.

Thereupon, Mr. Speaker McNally declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 494** had been read, for the first time.

Senate Bill No. 250 -- Education, State Board of -- As introduced, requires local education agencies to use at least one alternative growth model that has been approved by the board of education for evaluation of teachers in non-tested grades and subjects; requires the department of education to develop alternative student growth models for grade levels and subjects that do not have growth models. Amends TCA Section 49-1-302.

On motion, Senate Bill No. 250 was made to conform with **House Bill No. 67**.

On motion, House Bill No. 67, on same subject, was substituted for Senate Bill No. 250.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-302(d)(2)(B), is amended by adding the following language as new subdivisions:

(viii) By the 2019-2020 school year, in order to provide individual growth scores to teachers in non-tested grades and subjects, LEAs shall use at least one (1) appropriate alternative growth model that has been approved by the state board of education.

(ix) The department of education shall work to develop valid and reliable alternative student growth models for the grade levels and subjects that do not have models as of the effective date of this act.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 67**, as amended, passed its third and final consideration by the following vote:

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Ayes 30
Noes 1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--30.

Senator voting no was: Yarbrow--1.

A motion to reconsider was tabled.

Senate Bill No. 264 -- Guardians and Conservators -- As introduced, enacts the "Supported Decision-Making Agreement Act." Amends TCA Title 34.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 34-1-101, is amended by adding the following as a new subdivision:

() "Least restrictive alternatives" means techniques and processes that preserve as many decision-making rights as possible for the person with a disability.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 264**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 696 -- Parks, Natural Areas Preservation -- As introduced, requires proposals for the addition of rivers to the state scenic rivers system be posted on the official website of the state within five (5) business days of their submission to the governor and the general assembly. Amends TCA Title 11, Chapter 13.

Senator Southerland moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 11-13-108, is amended by deleting the section and substituting the following:

(a) The commissioner of environment and conservation may, within two (2) years after a river or segment of river has been made part of the state scenic rivers system, determine generally the boundaries of the scenic river area associated with that river or river segment. If a determination of the boundaries is made, the determination shall be in accordance with the following river classifications:

(1) For a Class I river (the gorge and swamp rivers), the boundary shall be established in such a way that it includes at least the entire scenic vista from the river and its banks. For gorge rivers, the boundaries shall be no more than three thousand feet (3,000') from the center of the river on each side. For swamp rivers, the boundaries shall be no more than one thousand feet (1,000') from the center of the river on each side; and

(2) For Class II or Class III river areas, the boundary shall include the vista from the river and shall be no more than four hundred fifty feet (450') from the usual banks of the river on each side.

(b)(1) If the commissioner of environment and conservation determines that the establishment of boundaries on that segment of Duck River established as a scenic river under § 11-13-104 is to be established then the commissioner shall initiate an outreach program to educate property owners and local communities in the area of this river segment about the program and the environmental and economic benefit the establishment of such boundaries provides. The commissioner shall then, using sound discretion and considering all relevant circumstances, establish a perpetual boundary of the scenic river area associated with the river or river segment.

(2)(A) If the proposed boundary of the scenic river area includes private property, then the state shall obtain the notarized consent of the private landowner before establishing the boundary.

(B) The department shall only establish boundaries on this river based upon the consent of the owner of any affected private lands.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 696**, as amended, passed its third and final consideration by the following vote:

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Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 1551 -- Sunset Laws -- As introduced, extends the soil scientist advisory committee for six years to June 30, 2024. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 18, Part 2.

Senator Bell moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-241(a), is amended by inserting the following as a new subdivision:

() Soil scientist advisory committee, created by § 62-18-210;

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1551**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 1549 -- Sunset Laws -- As introduced, extends the real estate commission for one year to June 30, 2019. Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 13.

Senator Bell moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-243(a), is amended by inserting the following as a new subdivision:

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() Real estate commission, created by § 62-13-201;

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1549**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 1626 -- Local Education Agencies -- As introduced, authorizes local education agencies to establish recovery high schools. Amends TCA Title 49, Chapter 6, Part 4.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting subdivision (a)(2)(A) in the amendatory language of Section 1 and substituting instead the following:

(A) For students who have a primary or secondary alcohol or other drug abuse or dependency diagnosis or co-occurring substance use and psychiatric diagnosis, as defined by the American Society of Addiction Medicine (ASAM) or the current edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM);

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1626**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 1967 -- Employees, Employers -- As introduced, specifies that a marketplace contractor of a marketplace platform is not an employee of the marketplace platform. Amends TCA Title 50; Title 56 and Title 62.

Senator Johnson declared Rule 13 on **Senate Bill No. 1967**.

MR. SPEAKER McNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Haile as Speaker pro tempore.

Senator Niceley moved for the previous question on **Senate Bill No. 1967**, which motion prevailed.

Thereupon, **Senate Bill No. 1967** passed its third and final consideration by the following vote:

Ayes 25
Noes 3

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Pody, Roberts, Stevens, Watson, Yager and Mr. Speaker McNally--25.

Senators voting no were: Harris, Swann and Yarbro--3.

A motion to reconsider was tabled.

Senate Joint Resolution No. 492 -- General Assembly, Statement of Intent or Position -- Urges FCC, major cellular providers, and FBI to work with correctional officers to address issue of contraband cell phones in prisons.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding in the final resolving clause the language "Director Christopher Wray of the Federal Bureau of Investigation," after the language "Federal Communications Commission,".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Joint Resolution No. 492**, as amended, was adopted by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1168 -- Children's Services, Dept. of -- As introduced, requires the department to maintain case manager staffing levels so that case manager caseloads do not exceed more than 20 active cases relating to initial assessments or more than 20 children monitored and supervised per case manager. Amends TCA Title 37, Chapter 5.

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HOUSE AMENDMENT NO. 1

AMEND by deleting the following in the amendatory language of Section 1:

The department shall maintain staffing levels of case managers so that each region has enough case managers to allow caseloads to be at not more than:

and substituting instead the following:

The department shall maintain staffing levels of case managers so that each region has enough case managers to allow caseloads not to exceed an average of:

AND FURTHER AMEND by deleting in Section 2 the language "July 1, 2017" and substituting instead the language "July 1, 2018".

Senator Hensley moved that the Senate nonconcur in House Amendment No. 1 to **Senate Bill No. 1168**, which motion prevailed.

MOTION

Senator Norris moved the Proposed Schedule for the week of February 19, 2018, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE
110th GENERAL ASSEMBLY**

**PROPOSED SCHEDULE
FOR THE WEEK OF FEBRUARY 19, 2018**

MONDAY – February 19

State Holiday – No Session

TUESDAY – February 20

8:30 a.m.	Finance, Ways & Means Committee
	(immediately following) Revenue Subcommittee
10:30 a.m.	State & Local Government Committee
12:30 p.m.	Lunch
1:30 p.m.	Commerce & Labor Committee
3:30 p.m.	Judiciary Committee

WEDNESDAY – February 21

8:30 a.m.	Government Operations Committee
10:00 a.m.	Judiciary Committee
11:00 a.m.	Transportation & Safety Committee
12:00 noon	Lunch
12:30 p.m.	Health & Welfare Committee
2:30 p.m.	Education Committee

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THURSDAY – February 22

8:30 a.m.

Session – Senate Chamber

10:00 a.m.

Energy, Agriculture & Natural Resources Committee

OTHER MEETINGS

Tuesday, February 20, 2018

- Pre-Commerce Committee, at 7:30 a.m., 8th floor Conference Room D.

Wednesday, February 21, 2018

- Pre-Education, at 7:30 a.m., in Senate Hearing room II.

RECALL OF BILLS

On motion of Senator Haile, **Senate Bills Nos. 1902 and 1903** were recalled from the Committee on Judiciary.

WITHDRAWAL OF BILLS

On motion of Senator Haile, Senate Bills Nos. 1902 and 1903 were withdrawn from the Senate.

MOTION

On motion of Senator Tate, his name was added as sponsor of **Senate Bill No. 250**.

On motion of Senators Bailey and Yager, their names were added as sponsors of **Senate Bill No. 264**.

On motion of Senator Haile, his name was added as sponsor of **Senate Bill No. 1040**.

On motion of Senator Bowling, her name was added as sponsor of **Senate Bills Nos. 1504, 1624, 1626, 1675, 1717, 1725, 1789, 1824, 1865, 1870, 1913, 1922, 1925, 1926, 2071, 2122, 2236 and 2254; and Senate Joint Resolution No. 563**.

On motion of Senator Massey, her name was added as sponsor of **Senate Bill No. 1626; and House Joint Resolution No. 697**.

On motion of Senators Stevens, Briggs and Johnson, their names were added as sponsors of **Senate Bill No. 1967**.

On motion of Senator Watson, his name was added as sponsor of **Senate Bill No. 2005**.

On motion of Senator Southerland, his name was added as sponsor of **Senate Bill No. 2030**.

On motion of Senators Haile and Pody, their names were added as sponsors of **Senate Bill No. 2656**.

On motion of Senator Dickerson, his name was added as sponsor of **Senate Bill No. 2670**.

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On motion of Senators Bailey, Kelsey, Bowling and Watson, their names were added as sponsors of **Senate Joint Resolution No. 492.**

On motion of Senator Stevens, his name was added as sponsor of **Senate Joint Resolution No. 494.**

On motion of Senators Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 569.**

On motion of Senators Harris, Kelsey and Tate, their names were added as sponsors of **Senate Joint Resolution No. 570.**

On motion of Senators Gardenhire and Watson, their names were added as sponsors of **Senate Joint Resolution No. 574.**

On motion of Senators Watson and Gardenhire, their names were added as sponsors of **Senate Joint Resolution No. 578.**

On motion of Senator Norris, his name was added as sponsor of **Senate Joint Resolution No. 597.**

On motion of Senators Norris and Massey, their names were added as sponsors of **Senate Resolution No. 136.**

On motion of Senator Pody, his name was added as sponsor of **House Joint Resolutions Nos. 569 and 747.**

On motion of Senators Norris and Yager, their names were added as sponsors of **House Joint Resolution No. 731.**

On motion of Senator Hensley, his name was added as sponsor of **House Joint Resolution No. 733.**

On motion of Senators Bell, Yarbrow, Yager, Hensley and Mr. Speaker McNally; and Senator Watson, their names were added as sponsors of **House Joint Resolution No. 735.**

On motion of Mr. Speaker McNally; and Senators Briggs and Massey, their names were added as sponsors of **House Joint Resolution No. 737.**

On motion of Senators Pody, Yager and Mr. Speaker McNally, their names were added as sponsors of **House Joint Resolution No. 746.**

ENGROSSED BILLS

February 12, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 264, 696, 1517, 1523, 1547, 1548, 1549, 1551, 1555, 1556, 1626, 1734, 1765, 1782, 1885 and 1967; and Senate Joint Resolutions Nos. 482, 492, 541, 566, 567, 568,

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569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590 and 591; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

February 13, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 108, 1536 and 1702; passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

February 13, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 764, 765, 766, 767, 768, 769 and 778; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

February 12, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1493, 1517, 1522, 1524, 1525, 1526, 1527, 1535, 1536, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1550, 1554, 1556, 1559, 1562 and 1566; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

February 12, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 533, 536, 539 and 540; substituted for House Joint Resolutions on same subjects and concurred in by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

February 12, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 513, 547, 548, 549, 550, 553, 556, 558 and 559; concurred in by the House.

TAMMY LETZLER,
Chief Clerk

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MESSAGE FROM THE HOUSE

February 12, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 541 and 570, concurred in by the House.

TAMMY LETZLER,
Chief Clerk

ENROLLED BILLS

February 12, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 1493, 1517, 1522, 1524, 1525, 1526, 1527, 1535, 1536, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1550, 1554, 1556, 1559, 1562 and 1566; Senate Joint Resolutions Nos. 513, 533, 536, 539, 540, 541, 547, 548, 549, 550, 553, 556, 558, 559 and 570; and Senate Resolutions Nos. 136 and 162; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

February 12, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1501, for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

February 13, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 731, 733, 735, 736, 737, 745, 746 and 747; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

SIGNED

February 12, 2018

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 513, 533, 536, 539, 540, 541, 547, 548, 549, 550, 553, 556, 558, 559 and 570; and Senate Resolutions Nos. 136 and 162.

SIGNED

February 12, 2018

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 657, 705, 709, 718, 719, 720, 721, 722, 724 and 725.

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SIGNED

February 13, 2018

The Speaker announced that he had signed the following: Senate Bills Nos. 1469 and 1481; and House Bills Nos. 362 and 1501.

SIGNED

February 13, 2018

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 731, 733, 735, 736, 737, 745, 746 and 747.

MESSAGE FROM THE HOUSE

February 13, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 513, 533, 536, 539, 540, 541, 547, 548, 549, 550, 553, 556, 558, 559 and 570; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

February 12, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 526, 527, 532, 560, 561 and 592; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

February 12, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolution No. 477, for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

February 13, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolution No. 477, with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

MONDAY, FEBRUARY 12, 2018 -- 52ND LEGISLATIVE DAY

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, February 15, 2018: House Joint Resolutions Nos. 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 760 and 761.

This the 13th day of February, 2018
ROBERTS, Chairperson

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, February 15, 2018: Senate Bills Nos. 1486, 1485, 1688, 1736, 1927, 2254, 2347 and 2685.

This the 13th day of February, 2018
ROBERTS, Chairperson

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, February 15, 2018: Senate Joint Resolution No. 494; and Senate Bills Nos. 10, 1047, 1675, 1905, 2683 and 105.

This the 13th day of February, 2018
ROBERTS, Chairperson

ADJOURNMENT

Senator Norris moved the Senate adjourn until 8:30 a.m., Thursday, February 15, 2018, which motion prevailed.